

**REMARKS**

Claims 109-115 are pending and under consideration.

**Claim Rejections under 35 U.S.C § 103**

The Examiner's rejection of Claims 109-115 under 35 U.S.C. § 103(a) as being unpatentable over Matsumoto et al., U.S. Patent No. 5,263,715 ("Matsumoto"), in view of Edgeworth, U.S. Patent 2,125,236 ("Edgeworth") and Bunco Rules is respectfully traversed for at least the reasons given below.

Matsumoto does not teach or suggest a Bunco-type dice game that matches the indicium of each die element tossed with the match indicium of the match point. Matsumoto discloses a dice displaying apparatus that includes a trackball to roll dice in a mechanized version of "craps". The trackball determines the die speed and rolling angles from the amount and direction of the trackball operation. The object of Matsumoto is to provide a pseudo-real feeling of "throwing dice". Matsumoto discloses application of its invention to a game of craps, but Matsumoto is quite simply not a Bunco-type dice game.

A Bunco-type dice game that includes a wager and payout is nowhere disclosed in Edgeworth. Edgeworth discloses an apparatus including a turn-table, trap, feeler pins and dial device for manipulation of dice elements during play of a game. Ten dice are confined to an enclosure with a top circular opening arranged to rotate a turn-table or disc. After the dice have been tumbled, they are directed into a trap with feeler pins that registers the number of dice displaying a certain character. Edgeworth teaches an apparatus to tumble and trap die.

Edgeworth, quite simply, does not teach a Bunco-type dice game that includes a wager and payout.

The present invention is not directed to just Bunco, but a Bunco-type dice game. Although the present invention has attributes of a Bunco game, it is not obvious in light of the traditional rules of Bunco. For example, the first round of a traditional Bunco game starts with all tables of players rolling three dice to try and achieve a designated point. Scores are accumulated each time a die matches the current point. If all three die match on indicia, but not the designated point, the player scores five points. If all three die match the designated point, the team yells "Bunco" and receives twenty-one points. In contrast, the present invention presets or randomly selects a match point and further includes a payout based on a wager.

The foregoing claims are directed to a Bunco-type video gaming machine that has a set of differing dice elements. A match point is either preset or randomly selected that has a respective match indicium. The dice elements are tossed. The object is to match the randomly selected indicium of the dice element to the match indicium of the match point. A payout is based upon the wager and predetermined value for a winning combination presented by the dice toss.

In contrast to Applicants' foregoing Claims, Matsumoto, Edgeworth and the rules of Bunco alone or in combination, do not teach or suggest each aspect of the claimed invention. Further, none of the references teach or suggest any motivation to arrive at Applicants' invention. At best, combining Matsumoto, Edgeworth and traditional Bunco rules would result in a game apparatus mechanism that includes a trackball for manipulating dice elements and a trap with feeler pins to register the number of dice displaying a certain character to achieve a

designated point. The references simply do not teach or suggest a Bunco-type dice video gaming machine of independent Claim 109.

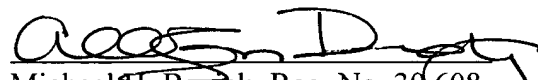
Claims 110-115 contain all the limitations of amended independent Claim 109. Since Claim 109 is allowable over the references cited for the reasons stated above, Claims 110-115 are also allowable since they depend from an allowable independent Claim, and therefore need not be further discussed as to patentable distinctions over the prior art, which they possess.

Accordingly, it is respectfully requested the rejections be withdrawn. The Applicants kindly request an interview to discuss the merits of the claimed invention over the cited references.

Respectfully submitted,

October 25, 2004

Baniak Pine & Gannon  
150 North Wacker Drive - Suite 1200  
Chicago, Illinois 60606-1606  
(312) 673-0360  
(312) 673-0361 Fax

  
Michael H. Baniak, Reg. No. 30,608  
Allison M. Dudley, Reg. No. 50,545  
Attorneys for Applicants